

ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
MICHAEL J. CARROLL - STATE BAR #50246
220 Montgomery Street, Suite 303
San Francisco, CA 94104
Telephone: (415) 392-5431

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE
NORTHERN CALIFORNIA FLOOR, et al. }

Plaintiffs, }

vs. }

BEVIL'S FLOOR SERVICE, etc., }

Defendant. }

Case No. C 07 3207 JL

DECLARATION OF MICHAEL J.
CARROLL IN SUPPORT OF
MOTION FOR DEFAULT
JUDGMENT

I, MICHAEL J. CARROLL, declare:

1. I am duly admitted to practice law before all of the courts of the State of California and in the United States District Court, Northern District of California. I am one of the attorneys for plaintiffs in this action. I have personal knowledge of the facts stated herein and if called as a witness, I could and would competently testify as follows:

2. Plaintiffs have incurred costs in the amount of \$500.00 in the prosecution of this action. This figure consists of the following items:

a. The filing fee of \$350.00;

b. The cost to effect service of the Summons and Complaint and other documents from the initial filing of this case in the amount of \$150.00, which I have paid.

Attached hereto and marked Exhibit 6 is the invoice for item b. above in the amount of \$150.00.

4. This legal action was filed on June 18, 2007. Defendant failed to appear and the default of defendant was entered by this Court on December 13, 2007. The Court's jurisdiction is founded on 29 U.S.C. § 185(a) and 29 U.S.C. 1132.

6. Attached to the Declaration of Rose Cortez and marked Exhibit 2 is a true and correct copy of the Trust Agreement which provides for attorneys fees (Article II, Section 12, page 7), an award of which is mandatory pursuant to 29 U.S.C. 1132(g).

Executed on May 13, 2008, at San Francisco, California.

/s/ Michael J. Carroll
Michael J. Carroll